

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA**

ROY GENE SMITH,)	
)	
Plaintiff,)	
)	Civil Action No: 1:10-878-TLW
vs.)	
)	ORDER
MICHAEL J. ASTRUE,)	
COMMISSIONER OF SOCIAL)	
SECURITY ADMINISTRATION,)	
Defendant.)	
_____)	

On October 29, 2012, Counsel for the Plaintiff filed a motion for attorney's fees pursuant to the Social Security Act, 42 U.S.C. §406(b). (Doc. # 38). The motion seeks reimbursement for Counsels' representation in the above-captioned matter in the amount of \$19,605.72, which amounts to twenty-five percent of the past-due benefits withheld by the Social Security Administration. The Commissioner did not file a response in opposition to this motion. The Court has reviewed Counsels' fee petition and the signed fee agreement that was submitted with the petition and finds Counsels' request for fees reasonable. Accordingly, **IT IS ORDERED** that Plaintiff's motion for attorney's fees pursuant to the Social Security Act, 42 U.S.C. §406(b), is **GRANTED** in the amount of \$19,605.72. (Doc. # 38). It is further ordered that, upon receipt of that sum, Counsel for the Plaintiff are directed to refund the fees previously awarded pursuant to the Equal Access to Justice Act. ("EAJA").

IT IS SO ORDERED.

s/ Terry L. Wooten
TERRY L. WOOTEN
UNITED STATES DISTRICT COURT JUDGE

November 20, 2012
Florence, SC